

MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, December 10, 2012

Present:

Trustee Brandt	Trustee Feldman
Trustee Grujanac	Trustee McDonough
Trustee Saltiel	Trustee Servi
Mayor Blomberg	Village Clerk Mastandrea
Village Manager Burke	Police Chief Kinsey
Director of Public Works Hughes	Village Treasurer Curtis
Director of Community Development McNellis	
Director of Financial Systems Roelker	Village Attorney Simon

ROLL CALL

Mayor Blomberg called the meeting to order at 7:13 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.0 Acceptance of November 26, 2012 Committee of the Whole Meeting Minutes

The minutes of the November 26, 2012 Committee of the Whole Meeting were approved with the following changes: Item 3.21, paragraph two, seventh line should read "informed the Board, spring break is also the week **of March 25** and", Item 3.21, paragraph two, last line should read "see **if** there is a quorum."

Questions Regarding Fresh Market Development

Mayor Blomberg set aside the agenda to receive comments and concerns from residents in attendance regarding the Fresh Market.

Mr. Martin Goodman, resident of 20 Trafalgar Square came before the Board and said he received a certified mailing and assumed this meeting was to discuss the Fresh Market. Mr. Goodman informed the Board of his concerns with construction of the Fresh Market and stated he thought some of these concerns could become worse once the store opened. The trees have been substantially removed on the site allowing lights to shine into his residence from traffic on Route 22. Mr. Goodman asked if evergreen trees could be planted in the place of hardwood trees since the hardwood trees would not mature as quickly. Mr. Goodman suggested installing a berm like the one at Sedgebrook. The berm would elevate the land and evergreens could be planted on top of the berm to help the situation for the residents.

Mayor Blomberg informed Mr. Goodman a berm would not be possible due to the land being in a floodplain and floodway. Mr. Goodman suggested installing a wall, elevating the wall, placing plantings on top, and leave a spillway or bridge. Mayor Blomberg said staff would look into this option. Mayor Blomberg informed Mr. Goodman of a landscape plan in place which could be made available to the residents. Trustee Brandt asked staff to get the landscape plan to the residents as soon as possible. Director of Public Works Hughes said the plan would be made available on the Village website. Trustee Brandt asked if there are any evergreens in the landscape plan. Director of Public Works Hughes said the plan did not include evergreens in the floodway or floodplain, since such a wet location is not appropriate for evergreens.

Mr. Goodman asked if the residents would be informed of the meeting date to approve zoning concerns. Director of Community Development McNellis said the zoning was approved at an earlier meeting and residents were notified and in attendance. Mr. Goodman said he never received notice of the meeting. Mayor Blomberg said staff would check to make sure the proper notifications went out for the meetings.

Ms. Helen Harris, resident of 445 Village Green, came before the Board and said she was disappointed at the view she currently has at her residence due to the construction of the Fresh Market. Ms. Harris said she paid more for her residence because of the view and did not think her situation was fair since she now has to look at the new cell tower. Trustee Brandt informed Ms. Harris landscaping for the cell tower would be put in this spring. Trustee Saltiel said the Board looked at several options for the location of the cell tower and the current location is what was approved.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

- 3.11 PUBLIC HEARING regarding requested amendment to Ordinance No. 95-1401-31, (Special Use for a Planned Unit Development (PUD) for the Lincolnshire Retail Center/Village Green in the R5 Mixed Use General Residence Zoning District), to revise Permitted/Special Uses, Restaurant and Food/Beverage Uses, Tenant Wall Signage Plan, and Landscape Plan for the property located at the northeast corner of Milwaukee Avenue and Olde Half Day Road (Village Green Baceline L.P.)**

Mayor Blomberg opened up the Public Hearing regarding item 3.11 along with items 3.12 and 3.13.

- 3.12 Consideration of a request for an amendment to Ordinance No. 95-1401-31, (Special Use for a Planned Unit Development (PUD) for the Lincolnshire Retail Center/Village Green in the R5 Mixed Use General**

Residence Zoning District), to revise Permitted/Special Uses, Restaurant and Food/Beverage Uses, Tenant Wall Signage Plan, and Landscape Plan for the property located at the northeast corner of Milwaukee Avenue and Olde Half Day Road (Village Green Baceline L.P.)

3.13 Consideration of Architectural Review Board (ARB) recommendation regarding approval of a proposed Landscape Plan for the Village Green Lincolnshire Center at the northeast corner of Milwaukee Avenue and Olde Half Day Road (Village Green Baceline L.P.)

Director of Community Development McNellis said there are two zoning and two design matters before the Board for consideration. Director of Community Development McNellis informed the Board of the petitioner's request to add several uses. Staff is in agreement with most of the requested uses but does not feel large health clubs should be included in the list of permitted uses. These types of uses should continue to be treated as a special use.

Director of Community Development McNellis said the petitioner would like to increase the number of sit-down restaurants. Staff recommends increasing the number to six (with Board approval of four and future staff approval of any additional restaurants, not to exceed six restaurants). The landlord would be required to provide a parking study prior to receiving staff approval. Trustee Saltiel said the number of employees will affect parking. Trustee Brandt wanted to know how the parking was being calculated with regards to the Flatlander's building. Village Attorney Simon said the draft Ordinance in the packets considers all the uses of the Flatlander's building as one restaurant, but changes could be considered in this Public Hearing.

Petitioners Mike Lotte and Brad Meyerhoff were sworn in by Mayor Blomberg. Mr. Lotte said one of the goals for the Village Green is to bring clarity and certainty to potential tenants. The biggest problem has been visibility. Mr. Lotte explained restaurants are the biggest attraction to lease and hopes to give more night life and vibrancy to the Village Green. Mr. Lotte provided a presentation of what the Village Green is proposing for uses and requested the Board include the health club as one of the permitted uses. Mr. Lotte informed the Board they have a lease out for signature on the Flatlander's building, and the anticipated lease is only for one tenant. Trustee McDonough asked if the Village Green would need five sit-down restaurants. Mr. Lotte said he would prefer six. Trustee Saltiel said he would prefer to go with staff recommendation in regards to the number of sit-down restaurants, which would force a

parking study. The Board was in agreement with the recommendation from staff for number and process for approval of sit-down restaurants.

Trustee Saltiel brought up signage and stated he realizes the Village Green is at a competitive disadvantage and proposed treating the Milwaukee building differently than the buildings around the fountain and green area. Trustee Brandt said she thought it was a good idea to be more competitive with signage. Mr. Lotte agreed signage is an issue and did not think the changes being requested are extreme. Trustee Saltiel asked what letters at Lincolnshire Commons are allowed to be 24". Director of Community Development McNellis said the example would be the "M" in McDonalds, an accent letter or a beginning letter. Trustee Saltiel said he recommended granting the Village Green the same size permitted as the standard in the Village or more specifically, at Lincolnshire Commons. Trustee Brandt said she was in favor of the proposed signage on Milwaukee Avenue. Mayor Blomberg said the Village has tried to avoid the "Vegas" look as is done across Milwaukee Avenue.

Trustee Saltiel asked if there are outstanding maintenance issues with the Village Green. Director of Community Development McNellis informed the Board of a meeting between staff and the Village Green to discuss the maintenance items. There is a plan from Baceline, which staff doesn't necessarily agree with at this time. Staff is working with Baceline to address a maintenance plan. Trustee Saltiel asked if the approval of the proposed items on this agenda should be contingent upon the maintenance items being completed. Director of Community Development McNellis said he believed there were other options with regards to the Village Green following through on the maintenance issues.

Ms. Karyl Golden, resident at 425 Village Green, was sworn in by Mayor Blomberg. Ms. Golden said she thought more restaurants allowed at the Village Green would be an improvement, but is concerned about the pet store having a negative affect on patrons.

Mr. Grant Golden, resident at 425 Village Green, was sworn in by Mayor Blomberg. Mr. Golden said he has been in the food service industry for years and believes the Village should consider the type of restaurants instead of parking and landscaping. Mr. Golden thought there should not be two of the same type of restaurants leased at the Village Green. Mr. Lotte said there are restrictions in the current leases with existing establishment, which prevent the owners from leasing to the same type

of restaurants. Mr. Golden suggested a stop light be installed on Milwaukee to permit entrance into the site.

Mr. Steve Marks, resident at 405 Village Green, was sworn in by Mayor Blomberg. Mr. Marks agrees with Mr. Golden in regards to getting the right mix of restaurants in the Village Green. Mr. Marks said he had a concern with regard to parking and some of the uses. Mr. Lotte addressed the list of uses and parking spaces required and currently provided. A discussion of parking throughout the site followed.

Mayor Blomberg closed the Public Hearing and opened up the Committee of the Whole Meeting.

Director of Community Development McNellis asked the Board if they were in agreement with staff recommendations for uses. The Board was in agreement with the recommendations from staff with regards to the proposed uses. Director of Community Development McNellis asked the Board if they were in agreement with staff recommendations for the number of sit-down restaurants and signage. The Board was in agreement with staff's recommendations regarding sit-down restaurants. Trustee Saltiel said the only issue with signage was separating the building on Milwaukee Avenue and coming up with an approved sign size for each different building throughout the development. Mr. Lotte said he would like some consistency throughout the center with regard to signage. Trustee Grujanac asked what Mr. Lotte would prefer with regards to size. Mr. Lotte said the bigger size would be better, but wanted the site to look good. Trustee Grujanac expressed her opinion the Board would need to be consistent with what is approved throughout the Village. Director of Community Development McNellis said he is still not clear on the signage and if the Milwaukee Avenue and Flatlander's building will be treated differently. Trustee Brandt suggested putting the item of signage on the Regular Village Board Meeting under Items of General Business; approve the Milwaukee Avenue and Flatlander's buildings for 24" signs, and the other building signage would be up for discussion. Trustee Brandt requested a drawing of the fountain building with proposed sign changes for the Board to review.

Mr. Meyerhoff briefly addressed some of the maintenance issues brought up and reported landscape maintenance projects planned for next spring. Mr. Meyerhoff also reviewed the proposed changes to landscaping throughout the center.

3.14 Consideration of Architectural Review Board (ARB) recommendation regarding a text amendment to Section 12-9-1-B, Wall Signs, of Title 12, Sign Control, of the Lincolnshire Village Code, to expand the type of internal illumination permitted for certain wall signs (Village of Lincolnshire)

Director of Community Development was directed by the Village Board to review the ARB recommendation regarding the amendment for wall signage and briefly explained the reason for the request. The request was originally brought up to the Board for signs at the Sysmex building. The ARB voted three to one to approve the amendment.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.2 Finance and Administration

3.3 Public Works

3.31 Responsible Bidder, Hayes Mechanical, for HVAC Services, in the Amount of \$8,290.00(Village of Lincolnshire)

Director of Public Works Hughes explained the contract for maintenance at the Village Hall and Public Works facility was bid out and Hayes Mechanical was the low bidder.

Mayor Blomberg asked about the separate maintenance in regards to controls on the office portion of the Public Works building. Director of Public Works Hughes explained there is a special service contract with Trane since they maintain the units and are the only ones who will work on the units. The cost would be substantial for any other contract or to maintain this. Mayor Blomberg asked if it was possible to remove the two rooftop units and put in two programmable thermostats. Director of Public Works Hughes said she would check into this option.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.32 Consideration and Discussion of Lincolnshire Sports Association Affiliate Approval Process

3.33 Consideration and Discussion of an Ordinance Amending Chapter 1, Section 8-1E of Title 8 of the Lincolnshire Village Code for Athletic Field Usage Permits

Mayor Blomberg opened up items 3.32 and 3.33 together at the request of Director of Public Works Hughes.

Director of Public Works Hughes said the Park Board considered the Affiliate Agreement and the template for application, which is attached to the Affiliate Agreement. Staff along with the Park Board and Lincolnshire Sports Associations are proposing to simplify how to permit park activities. Currently there are six different classifications and the proposal will consolidate these to the following three classifications: (A) would be the Village, (B) would be LSA and (C) would be everyone else. The Affiliate Agreement also includes the following criteria: program needs to benefit Village residents; program needs to benefit LSA, and program needs to benefit affiliates. Affiliates, who have been used in the past with no issues, will be approved at the staff level. This will be brought back to the Park Board for final approval and then back to the Village Board, but staff wanted Board comments.

The Board had no comments and was in favor of the Affiliate Agreement moving forward to the Park Board and placing this item on the consent agenda at the January meeting if the Park Board was in agreement with the changes.

3.4 Public Safety

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 **UNFINISHED BUSINESS**

5.0 **NEW BUSINESS**

5.1 **Inquiry from Manhard Consulting regarding Lincolnshire Forest Subdivision**

Director of Public Works Hughes said Lincolnshire Forest Subdivision was approved in 2005. Staff has worked with a developer that could result in a resolution of outstanding subdivision items as well as the sale of this property. Manhard has put forward five questions prior to closing on the property. Staff has had several meetings with Manhard, and at this time Manhard is looking for

some direction from the Board. Trustee Saltiel said he did not think Manhard should be allowed to put a sign on Village property but all other items in question are acceptable.

Ms. Fran Fazio, representing Manhard Consulting came before the Board and explained she was involved with this project from the beginning with the developer and Manhard would like to pursue the purchase of the property. Ms. Fazio gave the position of Manhard with regard to the sign. Since there is no frontage, Manhard would like to be able to advertise the sale of the lots via a sign. Trustee Saltiel recommended finding another way to market the property. Mayor Bloomberg asked how this would be handled if the Board wanted to approve the sign. Village Attorney Simon said this would require a Code change. Ms. Fazio suggested handling this in the Annexation Agreement. Trustee Saltiel said the Annexation Agreement has already been signed and was not in favor of amending it. Village Manager Burke inquired whether the available lots would be listed for sale on the realtors MLS listings. Ms Fazio said Manhard would like to advertise to people driving through the area. Mayor Bloomberg informed Ms. Fazio the Board would not be able to permit the off-premise sign.

Trustee Brandt said a few of the Board members received an e-mail in regards to a former District 125 student who passed away at the age of 22 over the past weekend. There was a request to do a Memorial and wanted to know if the Board was interested in this. Trustee Saltiel said he was in favor of participating in a memorial but suggested waiting until the tragedy settled down a bit. Trustee Brandt asked if North Park would be an option for the Memorial. Trustee Saltiel said there were many options to think about and wanted to wait and see what the family wanted.

Village Clerk Mastandrea reminded the Board of the last filing day for the election, which was moved to December 26, 2012.

Director of Community Development McNellis said he was reminded by Mr. Lotte of an eyeglass store opening shortly in the Village Green and they were hoping a decision would have been made with regard to wall signage. Director of Community Development McNellis asked the Board if they would consider approving the wall signage for the store with the larger sized lettering. The Board was in favor to allow the eyeglass store the signage and mentioned this would be a good opportunity to see how the sign would look.

6.0 EXECUTIVE SESSION

Trustee Grujanac moved and Trustee Servi seconded the motion to adjourn into Executive Session for the purpose of discussing potential sale of property owned by the Village and appointment, employment of a specific employee. The roll call vote was as follows. AYES: Trustees Saltiel, McDonough, Servi, Brandt and Grujanac. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. The Mayor declared the motion carried and the Board went into Executive Session at 9:34 and came out of Executive Session at 9:53.

7.0 ADJOURNMENT

Trustee Saltiel moved and Trustee Servi seconded the motion to adjourn. The voice vote was unanimous and the Mayor declared the meeting adjourned at 9:54 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

lu